

TO: The Honorable Board of Supervisors

FROM: F. Craig Meadows, County Administrator
L. Carol Edmonds, Assistant County Administrator

DATE: March 22, 2010

SUBJECT: AGENDA REPORT

I. CALL TO ORDER

II. INTO CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711

- (5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where No Previous Announcement Has Been Made of the Business or Industry's Interest in Locating or Expanding Its Facilities in the Community.

- 1. Project # 200920
- 2. Project # 200930

- (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

- 1. CPMT
- 2. Parks and Recreation Commission
- 3. Planning Commission

III. OUT OF CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

IV. CERTIFICATION OF CLOSED MEETING

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

VII. PUBLIC HEARING

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearings were advertised pursuant to law in the Current Section of the Roanoke Times on February 24, 2010 and March 3, 2010:

1. Special Use Permit – WTB Partnership (Sarah Finkner)
A request by WTB Partnership (Sarah Finkner) for a special use permit on 1.695 acres in a General Business (GB) zoning district to allow a commercial kennel. The property is located at 3740 and 3750 South Main Street, and is identified as Tax Parcel Nos. 67A-A-4,5,6 (Acct # 015065, 015066, 009666) in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan. See TAB A.

2. Amendment to Chapter 10, Entitled Zoning
An Ordinance amending Chapter 10, entitled Zoning, Sections 10-21, 10-28, 10-29 and 10-61 of the Code of the County of Montgomery, Virginia by allowing a school of special instruction by right in the General Business (GB) and Community Business (CB) zoning districts and by special use permit in the Agriculture (A-1) zoning district and by clarifying that the list of skills and activities provided in the definition of school of special instruction is not all inclusive.
See TAB B.

VIII. PUBLIC ADDRESS

IX. ADDENDUM

X. CONSENT AGENDA

XI. OLD BUSINESS

**A. SUBJECT: HUCKLEBERRY TRAIL
EASEMENT VACATION AND
RELOCATION**

**R-FY-10-
RESOLUTION APPROVING THE VACATION AND RELOCATION
OF A PORTION OF THE TWENTY FOOT HUCKLEBERRY TRAIL EASEMENT
LOCATED ON THE NEW RIVER MALL PROPERTY**

WHEREAS, The Board of Supervisors of the County of Montgomery, Virginia possess a twenty foot variable width trail easement referred to as the Huckleberry Trail located on the New River Valley Mall property; and

WHEREAS, In designing the construction of the expansion of the Huckleberry Trail within the New River Valley Mall property from its current terminus to Rt. 114, the existing twenty foot variable width trail easement needs to be relocated and realigned where a new easement will be dedicated and a portion of the existing easement vacated; and

WHEREAS, The Board of Supervisors of the County of Montgomery, Virginia, is in agreement with the proposed vacation and relocation of the Huckleberry Trail as shown on the plat entitled "Plat of Survey of A New 20 Foot And Variable Width Trail Easement For An Extension of the Huckleberry Trail Across A Portion of the Lands of PR Financing Limited Partnership" ("the Plat"), and agrees to accept the new dedicated twenty foot variable trail easement as shown on the Plat and to vacate a portion of the existing twenty foot trail easement as shown on the Plat; and

WHEREAS, The Board of Supervisors of the County of Montgomery, Virginia, advertised and held a public hearing on the proposed vacation and relocation of a portion of the twenty foot Huckleberry Trail Easement as required by Section 15.2-1800 of the Code of Virginia, 1950 as amended.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to the proposed vacation and relocation of a portion of the twenty foot Huckleberry Trail Easement as shown on the plat entitled "Plat of Survey of A New 20 Foot And Variable Width Trail Easement For An Extension of the Huckleberry Trail Across A Portion of the Lands of PR Financing Limited Partnership".

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes Chair Annette Perkins to sign any and all legal documents necessary to finalize the vacation and relocation of the Huckleberry Trail Easement as indicated on the Plat.

ISSUE/PURPOSE: Authorize the vacation and relocation of a portion of a twenty foot easement along the Huckleberry Trail near the New River Valley Mall.

JUSTIFICATION: In designing the construction of the expansion of the Huckleberry Trail within the New River Valley Mall property from its current terminus to Rt. 114, the existing twenty foot variable width trail easement needs to be relocated and realigned where a new easement will be dedicated and a portion of the existing easement vacated

XII. NEW BUSINESS

A. SUBJECT: NACO PRESCRIPTION DISCOUNT CARD PROGRAM – AUTHORIZE COUNTY ADMINISTRATOR TO EXECUTE CONTRACT

WHEREAS, The National Association of Counties (NACo) prescription discount card program helps consumers save money on their prescription medications any time their prescriptions are not covered by insurance; and

WHEREAS, NACo is offering the program to all NACo member localities at no cost to the County and no cost to the citizens who wish to participate in the program; and

WHEREAS, Montgomery County is a member of the NACo and the Board of Supervisors wishes to offer the free prescription discount cards to the citizens of Montgomery County; and

WHEREAS, The free prescription discount cards may be used by all Montgomery County residents, regardless of age, income or existing health coverage; there is no enrollment form, no membership fee and no restrictions or limits on frequency of use; and cardholders and their family members may use the card any time their prescriptions are not covered by insurance.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board of Supervisors hereby authorizes F. Craig Meadows, County Administrator, to enter into a Managed Pharmacy Benefit Services Agreement with the National Association of Counties and Caremark PCS, L.P. to provide NACo's prescription discount card program to Montgomery County citizens.

ISSUE/PURPOSE: Authorize the County Administrator to sign an agreement with the National Association of Counties and Caremark PCS, L.P. in order to offer the prescription discount card program to Montgomery County citizens. (See TAB E for a copy of the Agreement).

JUSTIFICATION: The NACo prescription discount card program provides County residents an opportunity to save money on their prescription medications any time their prescriptions are not covered by insurance. This program provides a no-cost health service to Montgomery County citizens. The discount card is not insurance.

Savings average 22% , depending on the drug and quantity purchased. Cardholders are eligible for higher discounts on a 3-month supply of some medications through mail service. Cardholders also can save on pet prescriptions at participating retail pharmacies. A list of local participating pharmacies is also provided in TAB E .

B. SUBJECT: PROCLAMATION – NATIONAL LIBRARY WEEK, APRIL 11-17, 2010

**R-FY-10-
PROCLAMATION
NATIONAL LIBRARY WEEK
APRIL 11-17, 2010**

WHEREAS, Montgomery-Floyd Regional Library plays a vital role in supporting the quality of life in our community; and

WHEREAS, Our public library along with the libraries at Virginia Tech, and Montgomery County schools make a difference in the lives of our residents and students, today more than ever; and

WHEREAS, Librarians are trained professionals, helping people of all ages and backgrounds, finding and interpreting the information they need to live, learn, and work in a challenging economy; and

WHEREAS, Libraries serve as crucial technology hubs for people in need of free Web access, computer training, and assistance finding job resources; and

WHEREAS, Libraries are part of the American Dream – places for opportunity, education, self-help and lifelong learning; and

WHEREAS, Library use is up nationwide among all types of library users, continuing a decade-long trend; and

WHEREAS, Libraries, librarians, library workers, and supporters across America are celebrating National Library Week.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby proclaims April 11-17, 2010 as National Library Week and encourages all residents to visit the library this week to take advantage of the wonderful library resources available to them.

ISSUE/PURPOSE: Resolution proclaiming National Library Week.

JUSTIFICATION: National Library Week is April 11-17, 2010. This proclamation was added to the agenda at the request of Paula Alston, Library Director.

C. SUBJECT: PROCLAMATION – NATIONAL COUNTY GOVERNMENT MONTH, APRIL 2010

**R-FY-10-
PROCLAMATION
NATIONAL COUNTY GOVERNMENT MONTH
APRIL 2010**

WHEREAS, National County Government Month is celebrated each April by the nation's counties to raise public awareness and understanding about the roles and responsibilities of county government in our communities; and

WHEREAS, The nation's 3,068 counties provide a variety of essential public services to communities serving 300 million Americans; and

WHEREAS, Montgomery County and all counties take seriously their responsibility to protect and enhance the health, welfare, and safety of its resident in an effective and efficient manner; and

WHEREAS, Counties provide a variety of municipal services to its citizens, including law enforcement, schools, libraries, and parks; and

WHEREAS, County elected officials, administrators, and employees work each day to improve the quality of life for all citizens, promoting healthy and sustainable communities and environments where residents can work, learn, and play.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Montgomery, Virginia hereby declares April 2010 as County Government Month in Montgomery County and encourages all citizens to become active participants in their county government.

ISSUE/PURPOSE: Proclaim National County Government Month.

JUSTIFICATION: National County Government Month (NCGM) is an annual celebration of county government. First held in 1990, the goal of the county government celebration is to raise public awareness and understanding about the roles and responsibilities of the nation's counties. In an effort to enable more counties an opportunity to participate in activities to raise public awareness and understanding of county government, the National Association of Counties (NACo) Executive Committee has expanded National County Government Week to a full month. Beginning in 2010 and in continuing years, the celebration will be held annually in the month of April. NACO'S 2010 theme for National County Government Week is "Healthy Counties".

XIII. INTO WORK SESSION

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. FY 2010-2011 State Budget Update

XIV. OUT OF WORK SESSION

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

XV. COUNTY ATTORNEY'S REPORT

XVI. COUNTY ADMINISTRATOR'S REPORT

XVII. BOARD MEMBERS' REPORT

1. Supervisor Marrs
2. Supervisor Biggs
3. Supervisor Politis
4. Supervisor Muffo
5. Supervisor Creed
6. Supervisor Brown
7. Supervisor Perkins

XVIII. OTHER BUSINESS

XIX. ADJOURNMENT

FUTURE MEETINGS

FY 2010-2011 Real Estate Tax Rate Public Hearing
Monday, March 29, 2010
7:00 p.m.

FY 2010-2011 Budget Public Hearing
Monday, March 29, 2010
7:30 p.m.

**Special Meeting
Budget Work Session
Thursday, April 1, 2010
5:30 p.m.**

Regular Meeting
Monday, April 12, 2010
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda

Adjourned Meeting
Monday, April 26, 2010
6:00 p.m. – Closed Meeting Items
7:15 p.m. Regular Agenda